

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GARY ZAGAMI,	§	
on behalf of himself and all others	§	
similarly situated,	§	
	§	
Plaintiffs,	§	
	§	Civil Action No. 3:06-CV-1654-D
VS.	§	
	§	
NATURAL HEALTH TRENDS CORP.,	§	
et al.,	§	
	§	
Defendants.	§	

**ORDER**

WHEREAS, the Court has granted final approval to Settlement of the above-referenced class action;

WHEREAS, Lead Plaintiffs' Counsel, The Rosen Law Firm, P.A. ("Lead Counsel"), and Lead Plaintiffs have petitioned the Court for the award of attorney's fees in compensation for the services provided to Lead Plaintiffs and the Class, reimbursement of expenses incurred in connection with the prosecution of this action, and for an award to the Lead Plaintiffs Gary Zagami, Brian Kelly, and Rick Patmore, to be paid out of the Settlement Fund established pursuant to the Settlement;

WHEREAS, the Court has reviewed the fee application and the supporting materials filed therewith, and has heard the presentation made by Lead Counsel during the final approval hearing, and due consideration having been had thereon;

WHEREAS, the Court has granted final approval of the Settlement of the above-referenced class action; and

NOW, THEREFORE, it is hereby ordered:

1. Lead Counsel is awarded 33.3% as attorney's fees in this Action, together with a proportionate share of the interest earned on the fund, at the same rate as earned by the balance of the fund, from the date of the establishment of the fund to the date of payment. The award of attorney's fees shall be allocated among Plaintiffs' Counsel in a fashion which, in the opinion and sole discretion of Lead Counsel, fairly compensates Plaintiffs' Counsel for their respective contributions to the prosecution of the Action.
2. The expenses of Lead Counsel shall be reimbursed out of the Settlement Fund in the amount of \$75,000.
3. Lead Plaintiffs Gary Zagami, Brian Kelly, and Rick Patmore, having petitioned the Court for an incentive award and reimbursement for lost time in connection with their prosecution of this action, are each awarded \$3,000.
4. Except as otherwise provided herein, the attorney's fees, reimbursement of expenses, and awards to Lead Plaintiffs shall be paid in the manner and procedure provided for in the Stipulation and Agreement of Settlement, dated March 19, 2009.
5. In making this award of attorney's fees and reimbursement of expenses and an award to Lead Plaintiffs to be paid from the Settlement Fund, the Court has considered and found that:
  - a. the Settlement has created a fund of \$2,750,000 in cash, plus interest to be earned thereon, and Class members who file timely and valid claims will benefit from the Settlement created by Lead Counsel;

- b. over 8,040 copies of the Notice were disseminated to putative class members indicating that at the July 17, 2009 Settlement Hearing, Lead Counsel intended to seek a fee of up to 33.3% of the Settlement Fund in attorney's fees and to seek reimbursement of their litigation expenses in an amount not to exceed \$75,000, and the Summary Notice was published in *Investor's Business Daily* and over the *PR Newswire* as required by the Court, and no objection was filed against either the terms of the proposed Settlement or the ceiling on fees and expenses to be requested by Lead Counsel;
- c. Lead Counsel have conducted this litigation and achieved the Settlement;
- d. The litigation of this Action involved complex factual and legal issues and was actively prosecuted since its filing on and in the absence of a Settlement, the Action would have continued to involve complex factual and legal questions;
- e. If Lead Counsel had not achieved the Settlement, there was a risk of either a smaller or no recovery;
- f. Plaintiffs' Counsel have devoted 1,082.05 hours, with a lodestar value of \$550,718.25 to achieve the Settlement; and

g. The amount of attorney's fees awarded and expenses reimbursed from the Settlement Fund and the awards to Lead Plaintiffs are consistent with the awards in similar cases.

**SO ORDERED.**

July 21, 2009.

  
SIDNEY A. FITZWATER  
CHIEF JUDGE